

Personal Audio, LLC v. Togi et al.  
 Case No. 2:13-cv-13 (consolidated))

**Plaintiff Master Exhibit List as to CBS Corporation FINAL AFTER CLOSE OF EVIDENCE**

| Plaintiff's Trial Exhibit No. | Depo Exhibit No. | Description  | Bates Numbers | Marked | Admitted | Objections  |
|-------------------------------|------------------|--|---------------|--------|----------|---|
| 1.                            |                  | Apple Inc. License                                       | PA2-12-24     |        |          | Irrelevant<br>(401/402);<br>prejudicial<br>(403);<br>hearsay<br>(802) |
| 2.                            | HS-11            | E-mail dated March 21, 2014 from Rosenblum to Strickland | HS PA-27      |        |          | AGREED  |
| 3.                            | HS-12            | E-mail dated March 21, 2014 from Strickland to Rosenblum | HS PA-12      |        |          | AGREED  |
| 4.                            | HS-13            | Henry Strickland Privilege Log                           |               |        |          | AGREED  |
| 5.                            |                  | E-mail dated March 7, 2014 from Rosenblum to Bradford    | TB (PA) 003   |        |          | AGREED  |
| 6.                            |                  | E-mail dated March 8, 2014 from Rosenblum to Bradford    | TB (PA) 006   |        |          | AGREED  |
| 7.                            | PI-4             | Curriculum Vitae of Dr. Porter                           |               |        |          |   |
| 8.                            | PI-6             | Compton's Invalidity Claim Chart                         |               |        |          |   |
| 9.                            | PI-7             | Surfpunk's Invalidity Claim Chart                        |               |        |          |   |
| 10.                           | PI-8             | The NCSA Website's Invalidity Claim Chart                |               |        |          |   |
| 11.                           | PI-9             | The NRL Website's Invalidity Claim Chart                 |               |        |          |   |
| 12.                           | PI-10            | The RealAudio Website's Invalidity Claim Chart           |               |        |          |   |

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|--------------------------------------|-------------------------|---|----------------------|----------------|------------------|-------------------|
| 13.                                  | PI-11                   | Klemets' Invalidity Claim Chart   |                      |                |                  |                   |
| 14.                                  | PI-12                   | Information Disclosure Statement  |                      |                |                  |                   |
| 15.                                  | PI-13                   | Notice of Allowability  |                      |                |                  |                   |
| 16.                                  | PI-14                   | Article About the Internet CNN Newsroom   |                      |                |                  |                   |
| 17.                                  | PI-15                   | Surfpunk Technical Journal  |                      |                |                  |                   |
| 18.                                  | PI-16                   | List of the Interviews for the Geek of the Week   |                      |                | AGREED           |                   |
| 19.                                  | PI-17                   | E-mail Traffic  |                      | Marked<br>9/10 | Admitted<br>9/10 | AGREED            |
| 20.                                  | PI-18                   | First International World-Wide Web Conference Material  |                      |                |                  |                   |
| 21.                                  |                         | Article available at<br><a href="https://web.archive.org/web/19961220063151/http://www.ncsa.uiuc.edu/radio/radio.html">https://web.archive.org/web/19961220063151/http://www.ncsa.uiuc.edu/radio/radio.html</a> . |                      | Marked<br>9/11 | Admitted<br>9/11 | AGREED            |
| 22.                                  |                         | Surf Punk available at<br><a href="https://web.archive.org/web/19961220063151/http://town.hall.org/radio/Geek">https://web.archive.org/web/19961220063151/http://town.hall.org/radio/Geek</a>                     |                      |                |                  | AGREED            |
| 23.                                  |                         | Geek of Weeks Page -<br><a href="http://town.hall.org/radio/Geek">http://town.hall.org/radio/Geek</a>   |                      |                |                  | AGREED            |
| 24.                                  |                         | <a href="http://www.cmf.mrl.navy.mil/radio/radio.html">www.cmf.mrl.navy.mil/radio/radio.html</a> .  |                      |                |                  | AGREED            |

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| 25.—                          |                     | <a href="http://server4.hathitrust.org/play/default/contents/talk12.Johns-peeth">http://server4.hathitrust.org/play/default/contents/talk12.Johns-peeth</a>                     |                  |        | AGREED   |            |
| 26.                           |                     | <a href="http://www.ietf.org/mail-archive/text/avt/tem/rem-conf-1993-11">http://www.ietf.org/mail-archive/text/avt/tem/rem-conf-1993-11</a>                                     |                  |        | AGREED   |            |
| 27.                           |                     | IETF RFC 1033, published in November 1987   |                  |        | AGREED   |            |
| 28.                           |                     | IETF RFC 1034, published in November 1987   |                  |        | AGREED   |            |
| 29.                           |                     | <a href="http://web.archive.org/web/19990501225115/http://www.cmf.nrl.navy.mil/notice.htm">http://web.archive.org/web/19990501225115/http://www.cmf.nrl.navy.mil/notice.htm</a> |                  |        | AGREED   |            |
| 30.                           | Richard Dean Ex. 1  | Resume of Richard Dean  |                  |        | AGREED   |            |
| 31.—                          | Richard Dean Ex. 10 | <u>Subpoena</u>   |                  |        | AGREED   |            |
| 32.                           | Richard Dean Ex. 11 | Wall Street Journal article entitled, "Comcast, Disney Will Add Web Shows for Subscribers"  |                  |        | AGREED   |            |
| 33.                           | Richard Dean Ex. 12 | Wall Street Journal article entitled, "Disney Adds More Streaming"  |                  |        | AGREED   |            |
| 34.                           | Richard Dean Ex. 13 | E-mail string, latest E-mail dated December 5, 2013 from Brian Rosenblom to Rich Dean   |                  |        | AGREED   |            |
| 35.                           | JF-16               | Resume of Joseph Follansbee   |                  |        | AGREED   |            |
| 36.                           | JF-17               | Email, March 7, 2014  |                  |        | AGREED   |            |
| 37.—                          | JF-18               | E-mail dated February 13, 2014  |                  |        | AGREED   |            |
| 38.—                          | JF-19               | Electronic Frontier Foundation Article  |                  |        | AGREED   |            |
| 39.                           | JF-20               | Email dated February 12, 2014   |                  |        | AGREED   |            |
| 40.—                          | JF-6                | E-mail dated February 25, 2014 to Jerry Black from Brian Rosenblom  | JB(PA)0000001    |        | AGREED   |            |
| 41.—                          | JF-7                | Article titled EFF Files Challenge With Patent Office Against Troll's Patent, dated October 16, 2013  |                  |        | AGREED   |            |
| 42.—                          | JF-8                | E-mail chain, the most recent dated February 25, 2014 to Brian Rosenblom from Jerry Black re: Patent Lawsuit  | JB(PA)0000022-23 |        | AGREED   |            |
| 43.—                          | Anderson Ex. 4      | Subpoena to Scott Anderson  |                  |        | AGREED   |            |

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| 44.                           | Anderson Ex. 5   | Article: "McVeigh: Should He Die?", OneLine NewsHour: McVeigh Sentencing, June 4, 1997 Email to Greg Dewar from Brian Roseboom, March 19, 2014 | GD(PA)0000001+   |        |          | AGREED   |
| 45.—                          | GD-3             |  |                  |        |          | AGREED   |
| 46.—                          | GD-4             | Subpoena to Greg Dewar   |                  |        |          | AGREED   |
| 47.                           | GD-5             | Resume for Greg Dewar  | GD(PA)0000024-27 |        |          | Hearsay (802); no authenticity (901); lack of foundation   |
| 48.—                          | Miller-2         | Diagram titled Data Center Physical Redundancy   | TPFM 1+          |        |          | Hearsay (802); no authenticity (901); lack of foundation   |
| 49.—                          | Miller-3         | Diagram titled A Service-Oriented Architecture   | TPFM 2-3         |        |          | Hearsay (802); no authenticity (901); lack of foundation   |
| 50.—                          | Miller-4         | Document titled Evaluating Web Service APIs  | TPFM 4-16        |        |          | Hearsay (802); no authenticity (901); lack of foundation   |
| 51.—                          | Miller-5         | Document titled MPX Overview White Paper   | TPFM 17-47       |        |          | Hearsay (802); no authenticity (901); lack of foundation   |
| 52.                           | Miller 12        | Spreadsheet titled Media Requests per Month  | TPFM 203-208     |        |          | AGREED ON CONDITION THAT IT WILL BE REDACTED AS TO OTHER DEFENDANTS  |
| 53.—                          | Miller-13        | Spreadsheet titled Newscorp companies (faxes 2/1/12 to 4/30/14)  | TPFM 166-173     |        |          | Hearsay (802); no authenticity (901); lack of foundation; irrelevant, refers to other defendants (401/402) |

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| 54.—                          | Miller 14        | Spreadsheet titled CBS companies (Invoices 2/1/12 to 4/30/14)                       | TPFM 174-175  |        |          | AGREED ON CONDITION THAT IT WILL BE REDACTED AS TO OTHER DEFENDANTS  |
| 55.—                          | Miller 15        | Spreadsheet titled NBCU companies (Invoiced 2/1/12 to 4/30/14)                      | TPFM 176-189  |        |          | Hearsay (802); no authenticity (901); lack of foundation; irrelevant, refers to other defendant (401/402)                            |
| 56.—                          | Miller 16        | Memo 9/11/13 to Kiriacoulaes from Rina Patel re: enterprise license for thePlatform | TPFM 190-191  |        |          | Hearsay (802); no authenticity (901); lack of foundation; incomplete document (106); irrelevant, refers to other defendant (401/402) |
| 57.—                          | Miller 17        | Document titled CBS   | TPFM 48-51    |        |          | Hearsay (802); no authenticity (901); lack of foundation   |
| 58.—                          | Miller 18        | Composite of documents, first titled FOX Broadcastings                              | TPFM 52-94    |        |          | Hearsay (802); no authenticity (901); lack of foundation; irrelevant, refers to other defendant (401/402)                            |

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| 59.—                          | Miller 19        | Composite of documents, first titled NBC News  | TPFM 92-146   |               |                 | Hearsey (802); no authenticity (901); lack of foundation; irrelevant; refers to other defendant (401/402) |
| 60.—                          | Horowitz 20      | Set of Specifications written by program managers at the platform that describe the functionality and high-level design of a set of services | TPFM 209-893  |               |                 | Hearsey (802); no authenticity (901); lack of foundation; irrelevant (401/402)                            |
| 61.                           |                  | United States Patent 8,112,504   |               |               |                 |   |
| 62.                           | Randell 2        | CBS Audience Network Chart   | CBS 59        |               |                 |   |
| 63.                           | Randell 3        | HTML version of web page for Big Bang Theory   | CBS 651-652   |               |                 |   |
| 64.                           | Randell 4        | Example of SMILE File  | CBS 181-220   |               |                 |   |
| 65.                           | Randell 5        | HTML response from CBS.com   | CBS 68-75     |               |                 |   |
| 66.                           | Randell 6        | UVF Flash Quickstart Guide   | CBS 129-70    |               |                 |   |
| 67.                           | Randell 7        | HTML response for Criminal Minds   | CBS 221       |               |                 |   |
| 68.                           | Mantell 8        | Breakout of video streams/impressions/ad revenue/expenses  | CBS 642       |               |                 |   |
| 69.                           | Mantell 9        | CBSi Online Streaming 2012 Streams Impressions Revenue   | CBS 1180-81   | Marked<br>9/9 | Admitted<br>9/9 |   |
| 70.                           | Mantell 10       | CBSi Online Streaming Full Episodes Only 2012  | CBS 1180-81   | Marked<br>9/9 | Admitted<br>9/9 |   |
| 71.                           | Mantell 11       | CBSi Online Streaming Full Episodes Only 2013  | CBS 1182-83   | Marked<br>9/9 | Admitted<br>9/9 |   |
| 72.                           | Mantell 12       | CBSi Online Streaming Streams/Impressions/Revenues/Expenses 2014 Q1  | CBS 1184-85   | Marked<br>9/9 | Admitted<br>9/9 |   |
| 73.                           | Mantell 14       | Document downloaded from CBS website   |               | Marked<br>9/9 | Admitted<br>9/9 | Objection overruled at pre-trial conference   |
| 74.                           | Mantell 15       | CBS Memorandum   | CBS 238-239   |               |                 |   |
| 75.—                          | Mantell 16       | Broadcast Order  | CBS 722-723   |               |                 |   |

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| 76.                           | Aizer 2          | Step-by-step guide on editing and publishing/posting podcast                    | CBS 115-128    |            |              |            |
| 77.                           | Aizer 3          | Document tracking number of media starts of podcasts                            | CBS 303-606    |            |              |            |
| 78.                           | Aizer 4          | Document for ad campaign for Anchor Bay Studios/Entertainment                   | CBS 649-650    |            |              |            |
| 79.                           | Aizer 5          | Network Advertising Broadcast Order   | CBS 722-723    |            |              |            |
| 80.                           | Gervais 2        | Document given to a potential new platform that CBS News wants partnership with | CBS News (PA5) |            |              |            |
| 81.                           | Gervais 3        | Inventory List  | CBS (PA6)      |            |              |            |
| 82.                           | Gervais 4        | HEYE Cast-podcast Guide   | CBS 7-26       |            |              |            |
| 83.                           | Gervais 5        | Supplement to manual upload guide   | CBS 27         |            |              |            |
| 84.                           | Gervais 6        | RSS feed for "60 Minutes"   | CBS 222-224    |            |              |            |
| 85.                           | Gervais 7        | Actual XML code for "60 Minutes" podcast  | CBS 225-227    |            |              |            |
| 86.                           | Gervais 8        | Support Agreement   | CBS 228-237    |            |              |            |
| 87.                           | Gervais 9        | XML for "CBS News Weekend Roundup" Podcast                                      | CBS 643-45     |            |              |            |
| 88.                           | Gervais 10       | CBS Radio News XML Feed   | CBS 639-640    |            |              | AGREED     |
| 89.                           | Gervais 13       | Example of insertion  | CBS 659        |            |              |            |
| 90.                           | Gervais 14       | Agreement with Kit Gray   | CBS 660-63     |            |              |            |
| 91.                           | Gervais 15       | Amendment to agreement with Kit Gray  | CBS 664        |            |              |            |
| 92.                           | Gervais 16       | Breakdown of podcast earnings as of Jan 2, 2014                                 | CBS 692        |            |              |            |
| 93.                           | Gervais 17       | Breakdown of downloads of various podcasts                                      | CBS 693-99     |            |              |            |
| 94.                           | Gervais 18       | Breakdown of downloads of various podcasts                                      | CBS 700-705    |            |              |            |
| 95.                           | Gervais 19       | New method for tracking podcast downloads                                       | CBS 706-713    |            |              |            |
| 96.                           |                  | thePlatform agreement   | CBS 750-768    | Marked 9/9 | Admitted 9/9 |            |
| 97.                           |                  | thePlatform Order Form  | CBS 792-796    | Marked 9/9 | Admitted 9/9 |            |
| 98.                           |                  | thePlatform agreement   | CBS 797-815    |            |              |            |
| 99.                           |                  | Harris Media Invoices   | CBS 1047-1053  |            |              |            |
| 100.                          |                  | The Bold and the Beautiful  | CBS 1258-1262  |            |              |            |
| 101.                          |                  | B and the B sponsorship   | CBS 1263-1270  |            |              |            |

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| 102.                          |                  | CBS Gives You More: 2014 Upfront Overview                        | CBS 1271-1300 |        |          |            |
| 103.                          |                  | Market Research  | CBS 1301-1307 |        |          |            |
| 104.                          |                  | Big Bang Theory Episode 2 Statistics                             | CBS 1321-1326 |        |          |            |
| 105.                          |                  | Advertising Promotional Document for CBS.com                     | CBS 1327-1333 |        |          |            |
| 106.                          |                  | Advertising Promotional Document for CBS.com                     | CBS 1334-1340 |        |          |            |
| 107.                          |                  | Advertising Promotional Document for CBS.com                     | CBS 1341-1347 |        |          |            |
| 108.                          |                  | Digital Platform Sales Training                                  | CBS 1348-1362 |        |          |            |
| 109.                          |                  | Unique visitors  | CBS 1363-1364 |        |          |            |
| 110.                          |                  | CBS Delivers the Best of Breed: Major tempole event case studies | CBS 1365-1389 |        |          |            |
| 111.                          |                  | CBS Interactive Advertising Promotional doc                      | CBS 1393-1445 |        |          |            |
| 112.                          |                  | CBS Interactive Advertising Promotional doc                      | CBS 1446-1493 |        |          |            |
| 113.                          |                  | CBS Interactive Advertising Promotional doc                      | CBS 1494-1536 |        |          |            |
| 114.                          |                  | CBS Interactive Skin   | CBS 1537-1540 |        |          |            |
| 115.                          |                  | CBS Interactive Advertising Promotional doc                      | CBS 1575-1625 |        |          |            |
| 116.                          |                  | CBS Interactive Advertising Promotional doc                      | CBS 1626-1676 |        |          |            |
| 117.                          |                  | CBS Interactive Advertising Promotional doc                      | CBS 1677-1724 |        |          |            |
| 118.                          |                  | CBS dominates competition on YouTube                             | CBS 1725      |        |          |            |
| 119.                          |                  | CBS.com v ABC.com – Beating the competition                      | CBS 1738-1740 |        |          |            |
| 120.                          |                  | CBS.com v FOX.com – No Comparison                                | CBS 1742-1744 |        |          |            |
| 121.                          |                  | CBS.com v NBC.com – No Comparison                                | CBS 1746-1748 |        |          |            |
| 122.                          |                  | Home Page Take Over “Plus”                                       | CBS 1750      |        |          |            |
| 123.                          |                  | Ad layout on CBS.com page  | CBS 1760      |        |          |            |
| 124.                          |                  | CBS comscore report  | CBS 2164-2450 |        |          |            |
| 125.                          |                  | CBS comscore data  | CBS 2451-2687 |        |          |            |
| 126.                          |                  | CBS comscore report  | CBS 2688-2784 |        |          |            |
| 127.                          |                  | CBS-TV Research Report   | CBS 2785-2787 |        |          |            |
| 128.                          |                  | CBS Multi-Platform Audiences Data/E-mail                         | CBS 2788-2791 |        |          |            |
| 129.                          |                  | CBS comscore report  | CBS 2792-2903 |        |          |            |
| 130.                          |                  | CBS FreeWheel report Q4 2013                                     | CBS 2904-2917 |        |          |            |
| 131.                          |                  | CBS Corporation Sizzle Reel                                      | CBS MOV 001   |        |          |            |

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| 132.                          |                  | Print out of Apps.microsoft.com/windows/enus/app/cbs/3d731f1-ffa1-44e6-bfe3-3fb869f381e4   |                        |            | AGREED  |            |
| 133.                          |                  | Print out of CBS Audience Network, About, www.cbs.com/can_player/about.php   |                        |            | AGREED  |            |
| 134.                          |                  | January 24, 2013 letter from Richard A. Baker, Jr. to Louis J. Briskman re: Licensing Podeast Technology; United States Patent 8,112,504   | PERSAUDIO014433        |            | I irrelevant (401/402); prejudicial (403); hearsay (802); Lack of authenticity (901); not timely identified as an exhibit |            |
| 135.                          |                  | The Big Bang Theory Website snapshots (2) and entire webpage of http://www.cbs.com/shows/big_bang_theory/video/B888C031-DCAE-4D0A-7F0ED8CFB0410592/the-big-bang-theory-the-gorilla-dissolution/ (Exhibit 3 to Dr. Almeroth's Expert Report on Infringement) (native files) |                        |            | AGREED  |            |
| 136.                          |                  | Wireshark Testing Data (Exhibit 4 to Dr. Almeroth's Expert Report on Infringement) (native files)  |                        |            | AGREED  |            |
| 137.                          |                  | Fiddler2 Testing Data (Exhibit 5 to Dr. Almeroth's Expert Report on Infringement) (native files)   |                        | Marked 9/9 | Admitted 9/9  | AGREED     |
| 138.                          |                  | Top Paragraph of Page I-5 of CBS 10-k form for 2013 fiscal year (remainder of page redacted)   | PERSAUDIO112768        |            |   | AGREED     |
| 139.                          |                  | Technicolor MP3 Licensed Companies   | PERSAUDIO109966-109975 |            |   | AGREED     |
| 140.                          |                  | Technicolor MP3 Royalty Rates  | PERSAUDIO113019-20     |            |   | AGREED     |
| 141.                          |                  | CV of David Leathers (Exhibit 2 to David Leathers Expert Report)   |                        |            |   | AGREED     |

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| 142.                          |                  | CBS Presentation, "The Largest Online Network of Premium Content", <del>Pennier e-mails</del> | PERSAUDIO111724-111751<br><del>BF(PA)0000110-<br/>BF(PA)0000111</del> |        |          | AGREED     |
| 143.                          |                  |   |   |        |          | AGREED     |
| 144.                          |                  | Richard Dean e-mails  | RD (PA)000090 - RD<br>(PA)000099                                      |        |          | AGREED     |